IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No.5853 of 2006

DATE OF ORDER: 20.2.2007

Gajender Singh

...Petitioner(s)

Versus

Har Phool Singh

....Respondent(s)

CORUM : HON'BLE MR. JUSTICE M.M. AGGARWAL

.*.*.*.

Present: Mr. Sanjay Vashishta, Advocate.

Mr. Sudhir Aggarwal, Advocate.

M.M. AGGARWAL,J

This is petition against order dated 31.10.2006 passed by Civil Judge (Jr.Divn.), Gurgaon whereby request of the plaintiff, now petitioner for leading additional evidence was declined.

On behalf of the respondent-contesting defendant, it is pointed out that the case was fixed for arguments and even part arguments had been heard when this application was made. It is also pointed out that the case was of the year 1993 and earlier also, there was some application for additional evidence.

By way of additional evidence, plaintiff wants to produce only

one jamabandi, which shall be admissible per se without further formal proof. It would be appropriate to allow one opportunity to the petitioner to produce that jamabandi.

Under these circumstances, this petition is allowed. Only one opportunity shall be granted to the petitioner to produce only jamabandi subject to payment of Rs.2000/- as costs.

February 20, 2007 (M.M. AGGARWAL)
manoj JUDGE